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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

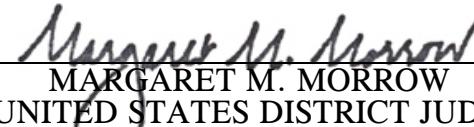
PHILEMON TAM, KATHY T-M TAM,) CASE NO. CV 08-06458 MMM (AJWx)
TITUS TAMBUNAN, CHRISTINE)
TAM, and VICTOR TAM,)
Plaintiff,) JUDGMENT AFFIRMING FINDINGS
vs.) AND DECISION OF FEDERAL DEPOSIT
FEDERAL DEPOSIT INSURANCE) INSURANCE CORPORATION AND
CORPORATION, in its own name and as) DISMISSING PLAINTIFFS' 12 U.S.C.
Receiver for IndyMac Bank, F.S.B.;) § 1821(d) CLAIM
DOES 1 through 10,)
Defendants.)
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16 On January 27, 2010, the court granted the FDIC's motion to dismiss plaintiffs' claim
17 alleging acts and omissions by IndyMac Bank prior to the bank's failure and dismissed plaintiffs'
18 12 U.S.C. § 1821(d) claim with prejudice. On November 14, 2011, the court filed its Findings
19 of Fact and Conclusions of Law concerning plaintiffs' claim that the FDIC's deposit insurance
20 determination was arbitrary and capricious. Accordingly,

21 IT IS ORDERED AND ADJUDGED

22 1. That the findings of the Federal Deposit Insurance Corporation, pursuant to the Federal
23 Deposit Insurance Act ("FDIA"), as amended, 12 U.S.C. §§ 1811 et seq., are affirmed;
24 2. That plaintiffs recover nothing by way of their claim under 12 U.S.C. § 1821(d); and
25 3. That this action be, and it hereby is, dismissed.

27 DATED: November 14, 2011
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28 MARGARET M. MORROW
UNITED STATES DISTRICT JUDGE